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Attorneys for Plaintiffs and the Plaintiff Class

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MAGALY EAGAN, CAROL A.
SPINNER and EVANS WALKER,
individually and on behalf of all others
similarly situated,

Plaintiffs,

vs.

AXA EQUITABLE LIFE
INSURANCE COMPANY, et al.,

Defendant.

CASE NO. CV 06-7637-DSF (JTLx)

CLASS ACTION

**SUPPLEMENTAL DECLARATION OF
JAMES C. STURDEVANT IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: June 6, 2011 Time: 1:30 p.m.
Dept: 840
Judge: The Honorable Dale S. Fischer

1 I, JAMES C. STURDEVANT, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and am a
3 member of the Bar of this Court. My firm and I are co-lead counsel for Plaintiff and
4 the certified class in this action. I make this Declaration of my own personal
5 knowledge, and if called as a witness, I would and could testify competently to the
6 matters stated herein.

7 2. Since the time of filing of the **Declaration of James C. Sturdevant**
8 **Regarding Timely Requests for Exclusion and Objections** on April 8, 2011, there
9 has been one further request for exclusion and no objections submitted by settlement
10 class members.

11 3. Attached hereto as Exhibit A is a true and correct copy of the one
12 timely request for exclusion, not timely rescinded, from Mark Schwartz.

13 4. Attached here to as Exhibit B is a true and correct copy of a letter
14 Defendant's counsel received from class member Gladys Samuels. It is neither an
15 objection nor opt-out. Ms. Samuels poses several questions to class counsel in
16 which she appears to be requesting a beneficiary election related to her settlement
17 payment, which is not permitted under the settlement agreement. Ms. Samuels, who
18 is 90 years old, provided the name and address of her daughter and asked whether
19 her grandchildren were considered "dependents" under the terms of the settlement.
20 I have written Ms. Samuels a letter in response acknowledging her letter, the
21 information she provided and informing her that her grandchildren are not
22 considered "dependents" under the terms of the settlement.

23 I declare the foregoing is true and correct under penalty of perjury under the
24 laws of the State of California.

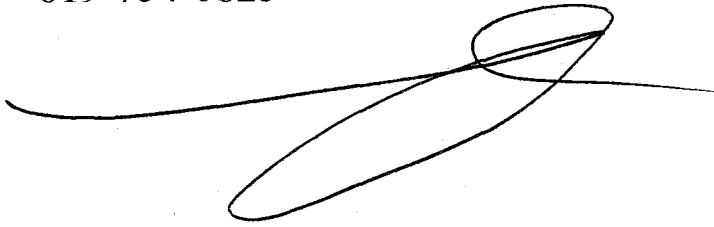
25 Executed this 25th day of May, 2011 in San Francisco, California.

26 /s/ James C. Sturdevant
27 James C. Sturdevant
28

EXHIBIT A

I wish to exclude myself from the settlement in Eagan v. AXA
Equitable Case No. 06-7637 DSF

Mark Schwartz
2127 Olympic Parkway
suite 1006 #325
Chula Vista Ca. 91915
619-754-6825

A handwritten signature in black ink, appearing to be 'Mark Schwartz', with a long horizontal line extending to the left.

MAY 13, 2011

EXHIBIT B



Ms. Gladys Samuels
115 Krumkill Rd. Apt. 1006
Albany, NY 12208

I NEVER REC'D
THE FIRST
NOTICE!

3/28/11

EAGAN VAXA-EQUITABLE LIFE INSURANCE
COMPANY CASE NO. 06-7637 DSF
JUDGE: HONORABLE DALE S. FISHER

DEAR SIR: I'M NOT SURE ^{THEY ARE} ~~SHE IS A~~
DEPENDENTS; I'M 90 AND IF I DIE
SEND ANY MONEY TO:

DAUGHTER
DEBRA SAMUELS
& CEDAR ST.
CATSKILL NY, 12414
(1-347-02518)
943-9317

DAUGHTER
HELEN SAMUELS
4 STONEHENG LN
APT 11-C
ALBANY NY 12203
(489-0805)

MY ADDRESS IS: 15 KRUMKILL RD
ALBANY NY 12208-
1255

I HAVE TWO GRANDCHILDREN IN
CALIFORNIA. ARE THEY DEPENDENTS?

Gladys Samuels
~~Gladys~~
GLADYS SAMUELS

IS THERE ANYTHING ELSE YOU
NEED FROM ME?